

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

STEVEN ROBERT JOHNSON;  
ALEX ROBERT HARVEY;  
KATHRYN ANN HARVEY,

Civ. No. 6:24-cv-01141-AA

Plaintiffs,

**OPINION & ORDER**

v.

HAF; HUD; ROCKET  
MORTGAGE, LLC,

Defendants.

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AIKEN, District Judge.

On September 5, 2024, the Court dismissed Plaintiffs' Complaint with leave to amend and gave Plaintiffs thirty days in which to file an amended complaint. ECF No. 18. Plaintiffs were warned that failure to file an amended complaint would result in a judgment of dismissal without further notice.

Plaintiffs have filed a series of documents, ECF Nos. 19, 20, 22, but none of those filings are an amended complaint. To the extent that Plaintiffs' "Rebuttal to Opinion & Order: Disregard of Executive Level Government Orders," ECF No. 20, is

intended as a motion for reconsideration, it provides no basis to modify the Court's prior Order.

Reconsideration of a court's order is an "extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000) (citations omitted). A motion for reconsideration "should not be granted unless the district court is presented with newly discovered evidence, committed clear error, or if there is an intervening change in controlling law." *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880 (9th Cir. 2009) (internal quotation marks and citation omitted). "Motions for reconsideration are not the proper vehicles for rehashing old arguments and not intended to give an unhappy litigant an additional chance to sway the judge." *Hernandez v. Jefferson Cnty. Sheriff's Office*, Case No. 3:19-cv-1404-JR, 2021 WL 2349320, at \*1 (D. Or. Feb. 1, 2021) (internal quotation marks and citation omitted, alterations normalized). The movant bears the burden of proving reconsideration is proper. *See 389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999). Plaintiffs have not carried this burden in their Objections.

As noted, Plaintiffs have not filed an amended complaint and the time for doing so has passed. This case is therefore DISMISSED and final judgment shall be entered accordingly.

It is so ORDERED and DATED this 9th day of October 2024.

/s/Ann Aiken  
ANN AIKEN  
United States District Judge